

Testimony before the Senate

Re: Senate Bill 730

OPPOSITION

March 3, 2023

By Christie Polley, Licensed Clinical Professional Counselor (LCPC)

Thank you for the opportunity to offer testimony in opposition of Senate Bill 730. It is with my personal and professional experience that I suggest that the Maryland Board of Social Work and Examiners disciplinary process should not be continued for another 4 years and instead must be reviewed immediately to make changes that directly protect clients, clinicians, and the community at large. I offer this with my understanding, the board has not experienced a thorough evaluation since 2010, 13 years ago, and has not properly implemented the changes recommended at that time.

My personal experience has taught me that turning to this board for help at a time where you feel fearful and scared is dangerous. This needs to be changed. To that end, an advocacy group of clinicians, attorneys and other professionals who have a direct impact within our community was formed due to an unfortunate experience with the Maryland Board of Social Work and Examiners and the disciplinary process.

My engagement with the board existed between October of 2020 to November of 2022 due to a very complicated and traumatizing situation that included a fellow clinician. He amassed 11 complaints against him. At the start of this experience, I was very optimistic that cooperating with the board and being an advocate for those harmed would bring justice. I believed the board operated with integrity, compassion, and from a trauma-informed viewpoint. I could not have been more wrong.

Instead, the process continued the abuse cycle with re-victimizing and re-traumatizing the complainants and survivors of abuse. Perpetually leaving survivors of these heinous complaints to continuously check the status of the licensee for years with no communication is inexcusable. The level of anxiety and fear when coming forward and filing a complaint is profound, let alone not being at least informed about what is happening. The lack of transparency and no communication regarding heinous crimes being disclosed is unacceptable.

I want to be clear about these complaints. They are mostly criminal in nature, with many of the complainants and witnesses unknowingly corroborating each other's allegations. From my own awareness, these complaints included but are not limited to sexual abuse of a minor, sexual abuse of young women, inappropriate boundary crossing, sexual harassment, retaliation against a contracted clinician, and abandonment of clients. One complaint included asking an intern to buy a pregnancy test for a 14-year-old girl. This complaint came after it was indicated that he sexually abused another 14 year-old girl, allegedly raped a young woman and had a "sexual relationship" with her, inappropriately touched and made sexually inappropriate comments to another woman who he was treating at a sober living home comprised of women, a video surfaced of him sexually harassing another therapist insinuating she take her dress off, voice recording(s) of him sexually abusing a client and having a sexual relationship with her, endless sexual inappropriate comments by many witnesses and clients, and a long history of being fired for sexual comments to coworkers. The list goes on.

After the awareness of these horrific allegations, his license was only briefly suspended for a couple months following an “Indicated” finding that he sexually abused a minor. During the investigation of the 11 complaints, he was able to have full access to more clients with absolutely no restrictions to minors. There was nothing to indicate that he was being investigated for 11 complaints or that new patients or parents of patients should be concerned that he may have sexually abuse minor(s) and other young women.

Would you be okay with walking your child into his office to be seen and not knowing the seriousness of allegations against him? Would you be okay with a loved one seeking therapy and their therapist masturbate to them while they stand there in lingerie? Would you be okay with a therapist asking your daughter, who is in a sober living home, to write down her fantasies so he can masturbate to them when he went home, and inappropriately touching her in session? Would you be okay with not knowing a clinician gave your 14-year-old a pregnancy test?

The evidence is of an abundance, and yet he was able to surrender his license over two years later with no findings or discipline from the board.

The board finally acted in October of 2022 when they accepted his surrender of license. This was seven (7) months *after* he had already provided his letter of surrender in April of 2022. He was able to escape being interviewed for the 11 complaints brought against him, and is now allowed to be within our community with no repercussions, a monster in plain sight.

The decisions of the board are the reasons why abusers can continue to abuse. I see the acceptance of surrender as a means to protect the board from something I am unable to see, and in the process, protecting him from the public knowing the person that he is. Furthermore, it has even been admitted to me that these complaints were so “egregious” that he would have eventually had his license revoked. If they were aware of how shockingly heinous these crimes are with supporting evidence, witnesses and corroboration, why not support the survivors and protect the community? He was protected, not the survivors.

I have asked the board to join in our efforts to listen to our concerns and make changes where necessary. I received no response. So now I am asking you. Please do not pass this bill without revision of the process to protect our children and our community. Do not delay a review of the board.

The following are some immediate changes that need to be addressed:

- Increase in transparency of the complaint process (steps).
- Prioritizing complaints that are criminal in nature and are of high threat to the public.
- Provide information about allegations to the public that are criminal in nature on the boards website and mandate the respondent to disclose this information to future clients.
- Mandate therapists and other mental health professionals to file a complaint upon hearing sex abuse of a therapist to prevent retaliation of complainant and protect other clients.
- Limiting access to treating minor’s while under investigation for complaints that are criminal in nature.
- Providing a parallel investigation with the police department, DSS and states attorney’s office and holding the board accountable in doing so.

To be perfectly honest, the changes that need to be made can be addressed with one decision; make therapy sex abuse a crime, as it should be. We are utilizing the term “boundary violation” to hide the truth; sex abuse and rape. If we were to criminalize this, these crimes would not “slip through the cracks” and all authorities (board, police, states attorney, DSS) can work together in assuring all information is corroborated. We need to stop putting rape and sex abuse under the COMAR regulations of sexual misconduct or boundary violations with clients. It has been profound the number of veteran clinicians who are not aware that this is NOT a crime. We need to call it what it is; a professional in a position of power, utilizing their expertise, to abuse those seeking psychological help. It is absolutely unacceptable and disgusting.

I am a clinician, mother, aunt, sister, cousin, daughter and a member of society who believes that protecting our children and those that are most vulnerable within our community is of utmost importance. Please trust me when I say, passing this bill will only perpetuate abuse and not address the seriousness of this disciplinary process, putting more people in harm’s way. Do you want to be a part of the problem or solution?